



**HUMAN GENOME SCIENCES  
INTELLECTUAL PROPERTY DEPARTMENT**

**14200 Shady Grove Road  
Rockville, MD 20850**

**Phone: 301-309-8504**

**Fax: 301-309-8439**

**FAX COVER SHEET**

DATE: October 4, 2004

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TO: **Examiner M. Monshipouri - Art Unit 1652**  
United States Patent & Trademark Office

FAX NO.: (571) 273-0932

PHONE NO.: (571) 272-0932

FROM: Mark J. Hyman (Reg. No. 46,789)

RE: App. No. 10/759,277  
Application of: Coleman et al.

Atty. Docket No. PF505D2  
Filed: January 20, 2004

**The following documents were filed by Human Genome Sciences, Inc.  
via facsimile on October 4, 2004:**

1. Fax Cover Sheet
2. Statement Regarding Availability of ATCC Deposit

**If you experience any difficulty receiving this transmission,  
please contact Mark J. Hyman at (240) 314-1224.**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Coleman et al.

Docket No.: PF505D2

Application No.: 10/759,277

Confirmation No.: 7353

Filed: January 20, 2004

Art Unit: 1652

For: Human Glycosylation Enzymes

Examiner: Monshipouri, M.

**STATEMENT REGARDING AVAILABILITY OF ATCC DEPOSIT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As requested by the Examiner during a telephone interview today, Applicants' representative hereby gives the following assurance by signature below:

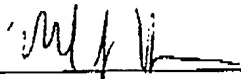
Human Genome Sciences, Inc., the assignee of the present application, has deposited biological material under the terms of the Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure with the following International Depository Authority: American Type Culture Collection (ATCC), 10801 University Boulevard, Manassas, Virginia 20110-2209 (present address). The deposit was made on February 24, 2000, accepted by the ATCC, and given ATCC Accession Number PTA-1410. In accordance with M.P.E.P. § 2410.01 and 37 C.F.R. § 1.808, assurance is hereby given that all restrictions on the availability to the public of ATCC Accession Number PTA-1410 have been removed, except as permitted under 37 C.F.R. § 1.808(b), due to the issuance of U.S. patents on priority applications. A partially redacted copy of the ATCC Deposit Receipt for Accession Number PTA-1410 is attached herewith.

Applicants thank the Examiner for the indication that the pending claims are allowable upon entry of the instant statement. The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicants would expedite the allowance of this application.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425.

Dated: October 4, 2004

Respectfully submitted,

By   
Mark J. Hyman  
Registration No.: 46,789  
HUMAN GENOME SCIENCES, INC.  
Intellectual Property Dept.  
14200 Shady Grove Road  
Rockville, Maryland 20850  
(240) 314-1224

# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Human Genome Sciences, Inc.  
Attn: Kenley Hoover  
9410 Key West Avenue  
Rockville, Maryland 20850

RECEIVED

MAR 07 2000

Deposited on Behalf of: Human Genome Sciences, Inc. (Ref PF505)

HGS PATENT DEPT.

Identification Reference by Depositor:

Patent Deposit Designation

DNA Plasmid HDBAK85, HA5AA37, HWLLM34

PTA-1410-11 ~~PF505~~

The deposit was accompanied by      a scientific description      a proposed taxonomic description indicated above.

The deposit was received February 24, 2000 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

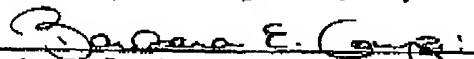
If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty

The viability of the culture cited above was tested March 1, 2000. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

  
Barbara E. Coupe, Administrator, Patent Depository

Date: March 2, 2000